

IN THE MUNICIPAL COURT OF THE CITY OF TIGARD
COUNTY OF WASHINGTON, STATE OF OREGON

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| In the Matter of |) | ORDER NO. 01-10 |
| |) | SUPPLEMENTAL COURT RULE |
| DIVERSION AGREEMENTS |) | |

Court-ordered diversion is an agreement between the Court and a defendant with certain conditions which, if satisfied, may lead to dismissal of all or a portion of a citation or a reduction in the fines imposed at the time of sentencing. These conditions may include: attendance at a driver-improvement class; receiving no new convictions for traffic or other offenses for a specified period of time; timely payment of all financial obligations to the court (including a diversion fee); and such other conditions as the court may deem appropriate under the circumstances or under Oregon law.

In the event that a defendant fails to fully and timely comply with all the conditions of a diversion agreement, including full payment of the diversion fee and all other financial obligations to the court, the court or a clerk of the court may take one or more of the following actions without further notice to the defendant:

1. Set aside the diversion agreement and, where appropriate, enter a conviction for the offense(s) subject to the agreement;
2. Send the record of the conviction to DMV for entry on the defendant's driving record;
3. Require the non-complying defendant to pay the fine(s) imposed by the court at the time of sentencing, less any amount paid to the court as a diversion fee;
4. Require a non-complying defendant to pay reinstatement fees or any other administrative fees imposed by the court;
5. Refer the case to a collection agency;
6. Initiate the suspension of a non-complying defendant's right to drive in the State of Oregon if all court-ordered financial obligations are not timely met; or
7. Take such additional actions as may be appropriate under Oregon law.

Whenever a diversion program is offered by the court and accepted, the defendant may be required to execute a diversion agreement setting forth the terms and conditions which must be satisfied.

DATED June 6, 2001.

Michael J. O'Brien, Presiding Judge
Tigard Municipal Court